

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	8:98CR5
	)	
v.	)	
	)	
EARL TREADWAY,	)	ORDER
	)	
Defendant.	)	
_____	)	

Pending before this court are 1) Motion to Vacate under 28 U.S.C. 2255, Filing No. 87, and Motion to Expedite, Filing No. 89. Pursuant to the Notice, Filing No. 91, filed by the government informing the court that the defendant died on February 15, 2005,

IT IS ORDERED that the 1) Motion to Vacate under 28 U.S.C. 2255, Filing No. 87, and Motion to Expedite, Filing No. 89, are hereby found moot.

DATED this 12th day of August, 2005.

BY THE COURT:

**s/ Joseph F. Bataillon**  
United States District Judge